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David A. Rosen
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December 29, 2016

VIA ECF

Hon. James C. Francis
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Robert Derek Lurch Jr. v. City of New York, Unknown Officers, NYC Health and Hospitals Corp., M.D. France Chaput and R.N. Maria Marquez
Docket No.: 16 CV 2517
Law Manager No.: 2016-000389
Sedgwick File No.: 10560
Docket No.: 16 CV 2517
Our File No.: 120-2130

Dear Judge Francis:

Heidell, Pittoni, Murphy & Bach, LLP represents New York City Health and Hospitals/Bellevue, Dr. France Chaput and Maria Marquez, R.N., in this action brought by *pro se* plaintiff Robert Derek Lurch, Jr.

We write in response to Mr. Lurch's letter dated December 19, 2016, in which he contends that defendants are in default for failing to answer his complaint. Pursuant to Your Honor's Order of December 12, 2016, defendants are to respond to the Court's Valentin Order by January 23, 2017, and plaintiff shall submit an amended complaint within 30 days of our response. Defendants are then required to answer or move against the amended complaint within 30 days after it is filed. Accordingly, defendants are not in default.

1624304.1

HEIDELL, PITTONI, MURPHY & BACH, LLP

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As always, we thank the Court for its time and attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "David A. Rosen".

David A. Rosen

DAR/is

cc: Via Certified Mail
Certified Receipt No.: 7015 3010 0001 4987 5872

Mr. Robert Derek Lurch, Jr.
16-A-2468
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62 Bare Hill Road
P.O. Box 10
Malone, New York 12953